IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

CRP.No. 1617 of 2000(H)

AGAINST THE ORDER DATED 01/07/2000 IN EA.983/2000 IN

E.P.553/98 IN OS.730/1995 of PRL.SUB COURT, KOZHIKODE

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REVN. PETITIONER: PETITIONER – JUDGMENT-DEBTOR-DEFENDANT

R.MAHESH, S/O.POTTANGADI RADHAKRISHNAN,
'SREYAS', KARUVASSERY DESOM, VENGERI VILLAGE,
KOZHIKODE TALUK.

BY SR.ADV. SRI.K.P.DANDAPANI
ADV.SRI.MILLU DANDAPANI

RESPONDENT: RESPONDENT – DECREE-HOLDER - PLAINTIFF

C.BHASKARAN NAIR, BY POWER OF ATTORNEY HOLDER
C.RAVINDRAN NAIR, GOVINDAPURAM, KOZHIKODE.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 13/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CMP.3268/2000 IN C.R.P.1617/2000

DISMISSED

13.9.2007 SD/-PIUS C.KURIAKOSE, JUDGE

/TRUE COPY/

PIUS C. KURIAKOSE, J.

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C.R.P.No.1617 OF 2000

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DATED THIS THE 13TH SEPTEMBER, 2007

ORDER

This Civil Revision Petition is remaining defective since 18.7.2000 on the reason that service of notice on the respondent-decree-holder is not completed. Mr.Millu Dandapani, counsel for the petitioner submits that fresh process will be remitted today since notice issued on the basis of the earlier process has been returned with the endorsement 'not known'. I am not inclined to grant time for remitting process.

2. I find that the learned Subordinate Judge dismissed an application for reception of security furnished by the petitioner pursuant to a conditional order of stay passed by this Court in A.S.No.1030 of 1998. The reason stated by the learned Subordinate Judge is that the original of the document relating to the property offered as security is not produced. I do not find any infirmity about the said order. However, I dispose of the Civil Revision Petition granting the petitioner 30 days more from today for producing the original documents relating to the security property and other related documents such as possession certificate, tax receipt, encumbrance certificate, by way of security for getting stay pursuant to this Court's

interim order in A.S.No.1030 of 1998. Under no circumstances, further time will be granted by the court below.

(PIUS C.KURIAKOSE, JUDGE)

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